<div align="center">**REMARKS**</div>

Claims 1, 2-50 and 83-93 were examined and reported in the Office Action. Claims 1-2, 4-50 and 83-93 are rejected. Claims 37-50 are canceled. Claims 1, 10, 21, 25, 29, 33-36 and 83-93 are amended. New claims 94-99 are added. Claims 1-2, 4-36 and 51-99 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I.   **37 C.F.R. §1.121(c) Objections**

It is asserted in the Office Action that the amendment to the claims filed on August 18, 2006 does not comply with 37 C.F.R. §1.121(c) because Applicant must place deleted text of five or less characters in double brackets and Applicant must take "Appropriate correction." However, Applicant notes that it is asserted in the Office Action that the amendments to the claims are accepted under paragraph 2 in the Detailed Action. Applicant, however, shall make appropriate corrections as if the amendments are current to comply with the Examiner's requirement.

Applicant respectfully notes that 37 C.F.R. §1.121(c) asserts that Applicant must place deleted text of five or less characters in double brackets *if strikethrough cannot easily be perceived*. Applicant has read through the amendments and did not find any amendments made with strikethrough that could not easily be perceived. At best, the amendments made with strikethrough in portions of claims 34-36, 83-84 and 86-93 may not possibly be easily perceived if not read line by line. Therefore, Applicant has shown these claims as currently amended with double brackets around the portions that may not have been easily perceived with the other portions treated as entered as the Examiner asserted the amendments were accepted.

Accordingly, withdrawal of the 37 C.F.R. §1.121(c) objection for the amendment filed on August 18, 2006 is respectfully requested.

II.   **35 U.S.C. § 102(e)**

A.   It is asserted in the Office Action that claims 37-39 and 44-46 are rejected under 35 U.S.C. § 102(e), as being anticipated by U. S. Patent No. 6,980,672 issued to Saito et al ("Saito"). Applicant has canceled claims 37-39 and 44-46. Therefore, rejections regarding claims 37-39 and 44-46 are moot. Applicant addresses Saito regarding new claims 94-99 as follows.

According to MPEP §2131,

> '[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.' (Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). 'The identical invention must be shown in as complete detail as is contained in the ... claim.' (Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, *i.e.*, identity of terminology is not required. (In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)).

Saito discloses a lock with a pressure-based fingerprint sensor where the sensor detects the fingerprint pattern of the finger that presses the sensor. A matching circuit prepares a fingerprint code based on the detected fingerprint pattern and the code is compared with registered fingerprint codes stored in a memory device to determine whether there is a match. If there is a match, a control unit unlocks the locking mechanism.

Applicant's claims 94-99 contains limitations that a new password is generated by the locker and stored in both the main body of the locker and the token inserted into the main body whenever the door is locked. Additionally, the locker receives the password that is stored in a token and can be transmitted to the locker from the token if collation in the token is successful, and compare it with the one stored in its main body to unlock the door.

Saito discloses that fingerprint data is registered when the door is locked, and the door is unlocked when fingerprint data detected by a sensor matches the registered fingerprint. Saito,

however, does not teach, disclose or suggest that the locker generates a new password whenever the door is locked and the password is stored in a token, or a *card* in Saito.

Therefore, since Saito does not disclose, teach or suggest all of Applicant's claims 94-99 limitations, Applicant respectfully asserts that a *prima facie* rejection under 35 U.S.C. § 102(e) could not have been adequately set forth relative to Saito. Thus, Applicant's claims 94-98 would not be anticipated by Saito.

B.   It is asserted in the Office Action that claims 1-6, 8, 83-86 are rejected under 35 U.S.C. § 102(e), as being anticipated by U. S. Patent No. 6,484,260 issued to Scott et al ("Scott"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

Scott discloses a personal identification system using a biometric sensor to allow access to a secure facility. Scott further discloses an encoder has an encryption algorithm that uses a private key and a memory can store an ID code. Distinguishable, according to Applicant's claimed invention the format of the communication data, i.e. the format of the authentication data from the personal collation unit, is converted before the data is transmitted to the device. In Scott, however, the finger image is converted into a template in order to reduce the size of data to be stored in a token, or a portable personal identification device (PID). Scott does not teach, disclose or suggest that the format of a collation result is converted. Further, the converted communication data is carried out of the token to be transmitted to a device in Applicant's claimed invention, whereas Scott does not teach, disclose or suggest that the converted data is output from the PM.

Therefore, since Scott does not disclose, teach or suggest all of Applicant's amended claim 1 limitations, Applicant respectfully asserts that a *prima facie* rejection under 35 U.S.C. § 102(e) has not been adequately set forth relative to Scott. Thus, Applicant's amended claim 1 is not anticipated by Scott. Additionally, the claims that directly or indirectly depend on claim 1, namely claims 2, 4, 6, 8 and 83-86, are also not anticipated by Scott for the same reason.

Accordingly, withdrawal of the 35 U.S.C. §102(e) rejection for claims 1-6, 8, 83-86 is respectfully requested.

III.   35 U.S.C. § 103(a)

A.   It is asserted in the Office Action that claims 9-18, 20-36, and 87-93 are rejected under 35 U.S.C. § 103(a), as being unpatentable over Scott in further view of U. S. Patent No. 6,957,338 issued to Sumino ("Sumino"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

According to MPEP §2142

"[t]o establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." (In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)).

Further, according to MPEP §2143.03, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)." "All words in a claim must be considered in judging the patentability of that claim against the prior art." (In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970), emphasis added.)

Applicant's claim 1 contains the limitations of "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device, wherein said personal collation unit and communication unit are integrated."

Applicant's claim 10 contains the limitations of "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device, said personal collation unit and said first communication unit being integrated."

Applicant's claim 21 contains the limitations of "a protocol conversion unit for converting format of the communication data to be transmitted to the service providing apparatus into a format that can be received and decoded by the service providing apparatus."

Applicant's claim 25 contains the limitations of "converts formats of communication data containing the password and token identification information into a format that can be received and decoded by the service providing apparatus and transmits the communication data to the service providing apparatus."

Applicant's claim 29 contains the limitations of

receiving communication data containing the password of the authentication token and the token identification information for identifying the authentication token, which is transmitted from the authentication token; collating the password contained in the communication data with a password obtained from the first database using the token identification information as a key; and providing the service to the user on the basis of a collation result, wherein format of said communication data transmitted from the authentication token is converted into a format that can be received and decoded by the service providing apparatus.

Applicant's claim 33 contains the limitations of

when a collation result indicates that collation is successful, receive communication data containing the password of the authentication token and the token identification information for identifying the authentication token, which is transmitted from the authentication token; collate the password contained in the communication data with a password obtained from the first database using the token identification information as a key; and provide the service to the user on the basis of a collation result, wherein format of said communication data transmitted from the authentication token is

> converted into a format that can be received and decoded by the service providing apparatus.

As asserted above, Scott does not teach, disclose or suggest that the format of the communication data, i.e. the format of the authentication data from the personal collation unit, is converted before the data is transmitted to the device nor that the converted data is output from the PM.

Sumino discloses an individual authentication system using an authentication card for storing biological information and a password for identifying a registered user.

Even if Sumino and Scott were combined, however, the resulting invention would still not teach, disclose or suggest Applicant's: claims 1, 10, 21, 25, 29 and 33 limitations of "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device, wherein said personal collation unit and communication unit are integrated," "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device, said personal collation unit and said first communication unit being integrated," "a protocol conversion unit for converting format of the communication data to be transmitted to the service providing apparatus into a format that can be received and decoded by the service providing apparatus," "converts formats of communication data containing the password and token identification information into a format that can be received and decoded by the service providing apparatus and transmits the communication data to the service providing apparatus,"

> receiving communication data containing the password of the authentication token and the token identification information for identifying the authentication token, which is transmitted from the authentication token; collating the password contained in the communication data with a password obtained from the first database using the token identification information as a key; and providing the service to the user on the basis of a collation result, wherein format of said communication data transmitted from the authentication token is converted into a format that can be received and decoded by the service providing apparatus,

and

> when a collation result indicates that collation is successful, receive communication data containing the password of the authentication token and the token identification information for identifying the authentication token, which is transmitted from the authentication token; collate the password contained in the communication data with a password obtained from the first database using the token identification information as a key; and provide the service to the user on the basis of a collation result, wherein format of said communication data transmitted from the authentication token is converted into a format that can be received and decoded by the service providing apparatus,

respectively.

Since neither Scott, Sumino, and therefore, nor the combination of the two teach, disclose or suggest all the limitations of Applicant's claims 1, 10, 21, 25, 29 and 33, Applicant's claims 1, 10, 21, 25, 29 and 33 are not obvious over Scott in view of Sumino since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that directly or indirectly depend from claims 1, 10, 21, 25, 29 and 33, namely claims 9, 11-18, 20 and 87-93, 22-24, 26-28, 30-32, and 34-36, respectively, would also not be obvious over Scott in view of Sumino for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for 9-18, 20-36, and 87-93 are respectfully requested.

B. It is asserted in the Office Action that claims 40, 41, 43, 47, 48 and 50 are rejected under 35 U.S.C. § 103(a), as being unpatentable over Saito in further view of Scott. Applicant has canceled claims 40, 41, 43, 47, 48 and 50. Therefore the above-mentioned 35 U.S.C. § 103(a) rejections regarding claims 40, 41, 43, 47, 48 and 50 are moot.

C. It is asserted in the Office Action that claims 7 and 19 are rejected under 35 U.S.C. § 103(a), as being unpatentable over Scott in view of Sumino and further in view of Scott. Applicant respectfully traverses the aforementioned rejection for the following reasons.

Applicant's claim 7 indirectly depends on claim 1. Claim 19 indirectly depends on claim 10. Applicant has addressed Scott in view of Sumino above in section III(A) regarding claims 1 and 10.

As asserted above, even if Sumino and Scott were combined the resulting invention would still not teach, disclose or suggest Applicant's: claim 1 limitations of "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device, wherein said personal collation unit and communication unit are integrated," nor Applicant's claim 10 limitations of "a protocol conversion unit for converting format of the communication data to be transmitted to the device into a format that can be received and decoded by the device, said personal collation unit and said first communication unit being integrated."

Since neither Sumino, Scott, and therefore, nor the combination of the two do not teach, disclose or suggest all the limitations of Applicant's claims 1 and 10, Applicant's claims 1 and 10 are not obvious over Sumino in view of Scott in view of Sumino since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that directly or indirectly depend from claims 1 and 10, namely claims 7, and 19, respectively, would also not be obvious over Sumino in view of Scott in view of Sumino for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection for claims 7 and 19 is respectfully requested.

D. It is asserted in the Office Action that claims 42 and 49 are rejected under 35 U.S.C. § 103(a), as being unpatentable over Saito in view of Scott and further in view of Saito. Applicant has canceled claims 42 and 49. Therefore the above-mentioned 35 U.S.C. § 103(a) rejections regarding claims 42 and 49 are moot.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-2, 4-36 and 51-99 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on October 27, 2006, Applicant respectfully petitions the Commissioner for a one (1) month extension of time, extending the period for response to February 27, 2007. The Commissioner is hereby authorized to charge payment to Deposit Account No. 02-2666 in the amount of $120.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(1) large entity. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
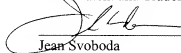
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated: February 27, 2007

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CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

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Jean Svoboda   Date: February 27, 2007